

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TIMOTHY A. WURTZ and RONALD D. WURTZ

Dated: June 8, 2009

Serial No. : 09/662,718

Confirmation No.: 1956

Filing Date : September 15, 2000

Group Art Unit: 3621

For : FLOOR JOIST RETAINER AND  
METHOD FOR USING THE SAME

Examiner: Canfield, Robert

Petitions Branch

Fax No.: 571-273-8300

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

**RENEWED PETITION UNDER 37 C.F.R. § 1.137(b)**

Applicant received a Decision on Petition dated March 23, 2009 dismissing the Petition to Revive filed in connection with the above-identified reissue application. The Petitions Attorney indicates that the application went abandoned for "failure to file a timely appeal brief after the filing of a Notice of Appeal on August 8, 2007" and that the proper reply was not received with applicant's petition. Applicant's attorney has corresponded frequently throughout prosecution of this reissue application, and believed the above application was in condition for allowance in the Fall of 2008 based upon teleconferences with Examiner Robert Canfield. After speaking further with Examiner Canfield and the Petitions Branch, applicant's counsel was informed that the most effective way to proceed would be to file this Renewed Petition, along with a Request for Continued Examination (RCE) to proceed with prosecution.

Accordingly, contemporaneously with this Renewed Petition, applicant is filing an RCE and asks that the previously submitted petition be accepted for purposes of priority claim only. Payment in the amount of \$470 is being submitted herein for payment of the one-month extension for responding to the Decision on Petition and the RCE filing fee.

If there are any questions regarding this matter, please telephone the undersigned.

Respectfully submitted,

KOLISCH HARTWELL, P.C.

**CERTIFICATE OF E-FILING**

I hereby certify that the Renewed Petition Under 37 C.F.R. § 1.137(b), RCE Transmittal and payment in the amount of \$470 are being electronically filed with the U.S. Patent and Trademark Office, EFS Web Filing System on June 8, 2009.

/Mandi M. Leighty/

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